

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Richard G. Novotny
Beverly J. Novotny

Debtors

Specialized Loan Servicing LLC, as servicing agent for
GS Mortgage-Backed Securities Trust 2019-SL1

Movant

vs.

Richard G. Novotny
Beverly J. Novotny

Debtors

William C. Miller Esq.

Trustee

CHAPTER 13

NO. 20-10801 ELF

11 U.S.C. Section 362

**MOTION OF SPECIALIZED LOAN SERVICING LLC, AS SERVICING AGENT FOR
GS MORTGAGE-BACKED SECURITIES TRUST 2019-SL1
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is Specialized Loan Servicing LLC, as servicing agent for GS Mortgage-Backed Securities Trust 2019-SL1.

2. Debtors is/are the owners of the premises 1228 Stumpf Road, Middle River, MD 21220, hereinafter referred to as the mortgaged premises.

3. Movant is the holder of a mortgage, original principal amount of \$102,000.00 on the mortgaged premises that was executed on December 22, 2006. Said mortgage was recorded on March 28, 2007 at Book 0025418, Page 228. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on February 27, 2020, at Book 4251, Page 11 in Baltimore County, Maryland. Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.

4. Specialized Loan Servicing LLC services the loan on the Property referenced in this Motion. In the event the automatic stay in this case is modified, this case dismisses, and/or the Debtor obtains a discharge and a foreclosure action is commenced on the mortgaged property, the foreclosure will be conducted in the name of Movant or Movant's successor or assignee. Movant, directly or through an agent,

has possession of the Note. The Note is either made payable to Movant or has been duly endorsed. Movant is the original mortgagee or beneficiary or the assignee of the Mortgage/Deed of Trust.

5. William C. Miller Esq., is the Trustee appointed by the Court.

6. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtors.

7. The Debtor has failed to make the monthly post-petition mortgage payments in the amount of \$1,088.61 for the months of March 2020 through June 2020.

8. The total amount necessary to reinstate the loan post-petition is \$4,354.44.

9. Pursuant to the terms of Debtors proposed Amended Chapter 13 Plan, the referenced property is being surrendered.

10. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

11. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/Rebecca A. Solarz, Esquire

Rebecca A. Solarz, Esquire

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